

Statutory Rules and Orders
No. 529 of 1937

LEUCHARS (TENTS MUIR)

(IN THE COUNTY OF FIFE)

AIR GUNNERY AND BOMBING RANGE

BYE-LAWS

MADE by the Secretary of State for Air under the provisions of the Military Lands Acts, 1892 and 1900, as applied by the Air Force (Application of Enactments) (No. 1) Order, 1918, and the Air Force (Application of Enactments) (No. 3) Order, 1923, with the consent of the Board of Trade for regulating the use of the Leuchars (Tents Muir) Air Gunnery and Bombing Range.



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GENERAL PROHIBITION

1. During such time as notice is given by the hoisting or displaying of signals in manner hereinafter provided, that air gunnery and bombing practice is being carried out on Leuchars Air Gunnery and Bombing Range, all intrusion on the land at Tents Muir, Leuchars, in the County of Fife (hereinafter called "the Land Area") and the foreshore and sea abutting thereon (hereinafter called "the Sea Area") within the limits set out in the Schedule hereto and all obstruction of the use thereof are prohibited.

OFFENCES DURING PRACTICE

2. During such time as notice is given by the hoisting or displaying of signals as provided in Bye-law No. 3, that air gunnery and bombing practice is taking place in the areas mentioned in Bye-law No. 1, then :—

(i) No person shall enter or remain on the land area or sea area, or bring or take thereto or suffer to remain therein any vehicle, animal, vessel, aircraft or thing whatsoever, except as provided in Bye-law No. 7.

(ii) No vessel shall be employed in fishing in the sea area.

(iii) No pleasure boat shall cruise in the sea area.

(iv) No vessel shall anchor or remain anchored in or ground on, the sea area.

(v) No aircraft shall alight on, remain in or travel upon the land area or the sea area.

(vi) In the event of any aircraft being from any cause within the land area, the pilot or other person in charge thereof shall use his utmost endeavours to remove such aircraft out of the land area without loss of time.

(vii) In the event of any vessel or aircraft being from any cause within the sea area, the master or pilot or other person in charge thereof shall use his utmost endeavours to pass out of the sea area without loss of time.

SIGNALS

3. Notice that air gunnery and bombing practice is taking place is given by the following signals :—

(A) In respect of practice by day—

(i) By a red flag hoisted on No. 1 Flagstaff 80 yards south-west of Powie Burn near the northern extremity of the land area.

(ii) By a red flag hoisted on No. 2 Flagstaff erected on the sandhills at the Markers' Shelter 750 yards north of the stream which flows from Kinshaldy.

(iii) By a red flag hoisted on No. 3 Flagstaff erected on the sandhills 100 yards north of the above-mentioned stream.

(iv) By a red flag hoisted on No. 4 Flagstaff erected on the sandhills 1,000 yards north of Bumper Knowe.

(B) In respect of practice by night—

By a fixed red light displayed on each of the above-mentioned flagstuffs and by a red flashing light, giving one flash of half-a-second's duration every five seconds, displayed on No. 2 Quadrant Shelter situate on the sandhills 1,525 yards south of Powie Burn.

The signals referred to in this Bye-law will be hoisted or displayed half-an-hour before practice commences and will remain hoisted or displayed until practice has ceased.

RECOVERY OF PROJECTILES

4. No person shall trawl, dredge or search for, or otherwise interfere with any shot, shell, bomb or other projectile or portion thereof, within the land area or sea area or take or retain, or be in possession of, any such shot, shell, bomb, or other projectile, or any portion thereof, found within the land area or sea area.

Any person who, when trawling, dredging, or in any manner whatever, shall come into possession of any such shot, shell, bomb, or other projectile, or any portion thereof, within the sea area, shall not retain it, but shall immediately return it in its then condition, and without tampering with it, into the water.

Provided, nevertheless, that the provisions of this Bye-law shall not apply in the case of persons who recover projectiles under written instructions from the local Naval, Military or Air Force Authorities.

AUTHORISED OFFICERS

5. Any person doing anything prohibited by or otherwise contravening Bye-laws Nos. 2 or 4 shall be deemed to have committed an offence against the Bye-law so contravened.

The persons hereby authorised to remove or to take into custody without warrant any person contravening Bye-laws Nos. 2 or 4, or to remove any vehicle, animal, vessel, aircraft or thing found in the land area or the sea area in contravention of Bye-laws Nos. 2 or 4 are :—

- (1) The Officer Commanding, R.A.F. Station, Leuchars.
- (2) Any Officer, Warrant Officer, Non-Commissioned Officer, or any Service Policeman, for the time being under the command of the said Officer Commanding.
- (3) Any person authorised in writing under the hand of the said Officer Commanding.
- (4) Any Constable.

WHEN VESSEL OR AIRCRAFT IN DANGER

6. When any vessel is within the sea area or any aircraft is within the sea area or the land area, all practice shall cease and an additional red flag or additional red flashing light giving one flash of half-a-second's duration every five seconds will be hoisted or displayed below each of the red flags or red flashing light referred to in Bye-law No. 3, to notify the master or pilot or other person in charge of the vessel or aircraft that he is within the sea area or the land area as the case may be.

EXEMPTIONS

7. These Bye-laws shall not apply to :—

- (a) Any vessel entering or passing through the sea area in the ordinary course of navigation.
- (b) Any vessel compelled to enter or unable to quit the sea area by reason of the exigencies of navigation.
- (c) Any vessel employed in tending, placing or replacing any of the channel mark buoys or other aids to navigation within the sea area.
- (d) H.M. ships of war, H.M. aircraft or any vessel or aircraft employed under Admiralty, War Department or Air Council authority.
- (e) Any aircraft compelled to alight on or unable to quit the sea area or the land area.

INTERPRETATION

8. In these Bye-laws :—

- (a) The expressions " Air Gunnery and Bombing Practice " and " Practice " include the firing of all kinds of small-arm ammunition from aircraft and the dropping of practice (not live) bombs from aircraft and any or all of such operations.

(b) The expression "vessel" includes ship, yacht, lighter, boat and craft of every kind, and whether navigated by steam, motor, sail, oars or otherwise.

(c) The expression "aircraft" includes all balloons, whether fixed or free, kites, gliders, airships, aeroplanes, seaplanes, flying boats and other flying machines.

DATE OF OPERATION OF BYE-LAWS

9. These Bye-laws shall come into force on the twenty-first day of July, one thousand nine hundred and thirty-seven, on and after which date the Bye-laws in respect of Leuchars (Tents Moor) Air Gunnery and Bombing Range, dated the twelfth day of May, one thousand nine hundred and twenty-eight, and consented to by the Board of Trade on the twenty-sixth day of May, one thousand nine hundred and twenty-eight, shall be revoked.

SCHEDULE

LIMITS OF THE LAND AND SEA AREAS

PART I.—DESCRIPTION OF THE LAND AREA

The land area is situate at Tents Muir, Leuchars, in the County of Fife, and lies between the Firth of Tay and the River Eden. The northern extremity of the land area is situate at a point marked by Danger Board No. 1 on the line of High Water about 70 yards south of the boundary between the Parishes of Ferry Port on Craig and Tents Muir, and the southern extremity of the land area is situate at a point about 4,130 yards in a southerly direction along the line of High Water from the said Danger Board No. 1. The land area is bounded as follows :—

ON THE LANDWARD SIDE.—By a line commencing at the said Danger Board No. 1, and thence proceeding in a westerly direction for a distance of about 70 yards to a point marked by Notice Board No. 1, and thence proceeding in a south-westerly direction for a distance of about 550 yards, crossing Powie Burn, until a point is reached marked by Danger Board No. 2 and Notice Board No. 2 about 300 yards south of the Ice House on the eastern side of a footpath, and thence proceeding in a southerly direction along the eastern side of the said footpath for a distance of about 1,330 yards, passing Danger Board No. 3, Danger Board No. 4 and Notice Board No. 3, to a point marked by Danger Board No. 5 and Notice Board No. 4, and thence crossing the aforesaid footpath in a south-westerly direction for a distance of about 150 yards to a point marked by Danger Board No. 6, and thence proceeding in a westerly direction for a distance of about 420 yards, passing Danger Board No. 7,

to a point marked by Notice Board No. 5 and Danger Board No. 8, and thence proceeding in a southerly direction for a distance of about 510 yards to a point marked by Notice Board No. 6 and Danger Board No. 9, and thence proceeding in an easterly direction for a distance of about 400 yards passing Danger Board No. 10 to a point marked by Danger Board No. 11, and thence proceeding in a south-easterly direction for a distance of about 440 yards crossing the afore-mentioned footpath, and passing Danger Board No. 12, Notice Board No. 7 and Officers' Control Point, to a point marked by Danger Board No. 13, and thence proceeding in a south-westerly direction for a distance of about 320 yards to a point marked by Flagstaff No. 3, and thence proceeding in a southerly direction for a distance of about 1,150 yards, passing Danger Board No. 14 and Danger Board No. 15, to a point marked by Notice Board No. 8, and thence proceeding in an easterly direction for a distance of about 80 yards to a point marked by Flagstaff No. 4, and thence proceeding in a south-easterly direction for a distance of about 60 yards to a point on the line of High Water marked by Danger Board No. 16.

ON THE SEAWARD SIDE.—By a line commencing at the last-mentioned point and proceeding by the line of High Water in a northerly direction until the starting point is reached.

PART 2.—DESCRIPTION OF THE SEA AREA

The sea area lies off the coast of Fifeshire between St. Andrew's Bay and the Firth of Tay and is bounded as follows :—

ON THE NORTH.—By a line commencing at a point on the line of High Water, Latitude $56^{\circ} 25' 55''$ N., Longitude $2^{\circ} 48' 16''$ W., marked by Danger Board No. 1, and drawn in a direction 71° true for a distance of 0·36 of a sea mile to a point on the line of Low Water marked by Beacon No. 1 which consists of a pile painted black and white and surmounted by a red triangle, thence continuing in the same direction for a distance of 1·05 sea miles to a point Latitude $56^{\circ} 26' 22''$ N., Longitude $2^{\circ} 45' 53''$ W., marked by Beacon No. 2 which also consists of a pile painted black and white and surmounted by a red triangle, and thence in a direction 63° true for a distance of 1·03 sea miles to a point Latitude $56^{\circ} 26' 50''$ N., Longitude $2^{\circ} 44' 13''$ W., marked by a conical Buoy No. 1 painted white and having a blue cross cutting the vertical axis and extending to the water line and with the letters D and A painted in red in alternate quadrants, and thence :—

ON THE NORTH-EAST.—By a line commencing at the last-mentioned point and drawn in a direction $141\frac{1}{2}^{\circ}$ true for a distance of 1.28 sea miles to a point Latitude $56^{\circ} 25' 50''$ N., Longitude $2^{\circ} 42' 46''$ W., marked by a conical Buoy No. 2 painted similarly to Buoy No. 1, and thence :—

ON THE EAST.—By a line commencing at the last-mentioned point and drawn in a direction 180° true for a distance of 1.50 sea miles to a point marked by a conical Buoy No. 3 painted similarly to Buoys Nos. 1 and 2, and thence continuing in the same direction for a further distance of 1.50 sea miles to a point Latitude $56^{\circ} 22' 50''$ N., Longitude $2^{\circ} 42' 46''$ W., marked by a conical Buoy No. 4 painted similarly to Buoys Nos. 1, 2, and 3, and thence :—

ON THE SOUTH-EAST.—By a line commencing at the last-mentioned point and drawn in a direction 225° true for a distance of 1.10 sea miles to a point Latitude $56^{\circ} 22' 03''$ N., Longitude $2^{\circ} 44' 09''$ W., marked by a conical Buoy No. 5 painted similarly to Buoys Nos. 1, 2, 3 and 4, and thence :—

ON THE SOUTH-WEST.—By a line commencing at the last-mentioned point and drawn in a direction $306\frac{1}{2}^{\circ}$ true for a distance of 1.46 sea miles to a point marked by a conical Buoy No. 6 painted similarly to Buoys Nos. 1, 2, 3, 4 and 5, and thence continuing in the same direction for a distance of 1.45 sea miles to a point marked by Beacon No. 3 which consists of a pile painted black and white and surmounted by a red triangle, and thence continuing in the same direction for a further distance of 0.20 of a sea mile to a point on the line of High Water Latitude $56^{\circ} 23' 54''$ N., Longitude $2^{\circ} 48' 38''$ W., marked by Danger Board No. 16, and thence :—

ON THE WEST.—By the line of High Water to the starting point at Danger Board No. 1, Latitude $56^{\circ} 25' 55''$ N., Longitude $2^{\circ} 48' 16''$ W.

Dated this twenty-third day of April, One thousand nine hundred and thirty-seven.

SWINTON,
Secretary of State for Air.

The Board of Trade hereby signify their consent to the foregoing Bye-laws.

OLIVER STANLEY,
President of the Board of Trade.

NOTICES

PENALTY FOR OFFENCES

(1) By Section 17 (2) of the Military Lands Act, 1892, it is provided :—

If any person commits an offence against any Bye-law under this Act he shall be liable on conviction before a Court of Summary Jurisdiction to a fine not exceeding FIVE POUNDS and may be removed by any Constable or Officer authorised in manner provided by the Bye-law from the area, whether land or water, to which the Bye-law applies and taken into custody without warrant and brought before a Court of Summary Jurisdiction to be dealt with according to law, and any vehicle, animal, vessel or thing found in the area in contravention of any Bye-law may be removed by any Constable or such Officer as aforesaid and on due proof of such contravention be declared by a Court of Summary Jurisdiction to be forfeited to His Majesty.

APPLICATION TO SEA AREA

(2) By Section 2 (2) of the Military Lands Act, 1900, it is provided :—

Where any land, the use of which can be regulated by Bye-laws under the Military Lands Act, 1892, or this Act, abuts on any sea or tidal water or where rifle or artillery practice is or can be carried on over any sea, tidal water or shore from any such land, Bye-laws may be made in relation to any such sea, tidal water or shore as if they were part of the land.

HOURS OF GUNNERY AND BOMBING

(3) Air Gunnery and Bombing practice may take place on the range at any time of the day or night throughout the year excepting on Sundays and Public Holidays. The Range Area will not be closed more frequently or for longer periods than is absolutely necessary for the carrying out of essential practice.

SPECIAL NOTIFICATION

Notice of intended practice by night will be given 24 hours previously in writing by the Officer Commanding, Royal Air Force Station, Leuchars, to the following :—

- The Registrar, Parish of Leuchars.
- The Town Clerk, Dundee Corporation.
- The Dundee Harbour Trustees.
- The Custom House, Dundee.
- The Tay Salmon Fisheries Company, Ltd., Dundee.
- The Town Clerk of the Burgh of Monifieth.
- The Town Clerk of the Burgh of Carnoustie.
- The Coastguard Station, Carnoustie.
- The District Officer of Coastguard, Elie.
- The Head Post Office, St. Andrews.
- The Police Station, Tayport.
- The Harbour Master, Tayport.
- The Lessees for the time being of the Salmon Fishings in the sea area.
- The Harbour Master, Arbroath.
- The Coastguard Station, Arbroath.

FACILITIES FOR FISHERMEN

(4) The local Air Force authorities will afford to fishermen in pursuit of their occupation every facility consistent with the carrying out of essential firing and bombing practice on the range.

ADDITIONAL PRECAUTIONS

(5) Firing from aircraft will be in the direction of the North Sea and not towards the navigable channel. Sentries will be posted at various points to warn the public when practice is taking place.

WHERE BYE-LAWS CAN BE INSPECTED

(6) Copies of these Bye-laws can be obtained free of charge from the Secretary, Air Ministry, Kingsway, W.C.2, and can be seen at the following places :—

The Office of the Officer Commanding, Royal Air Force Station, Leuchars.

The Office of Sir Norman M. Macpherson, S.S.C., Solicitor in Scotland to the Air Ministry, 2A Hill Street, Edinburgh, 2.

The Office of the Registrar, Parish of Leuchars.

The Office of the Town Clerk, Dundee Corporation.

The Office of the Clerk, Dundee Harbour Trustees.

The Offices of the Tay Salmon Fisheries Company, Ltd., Dundee.

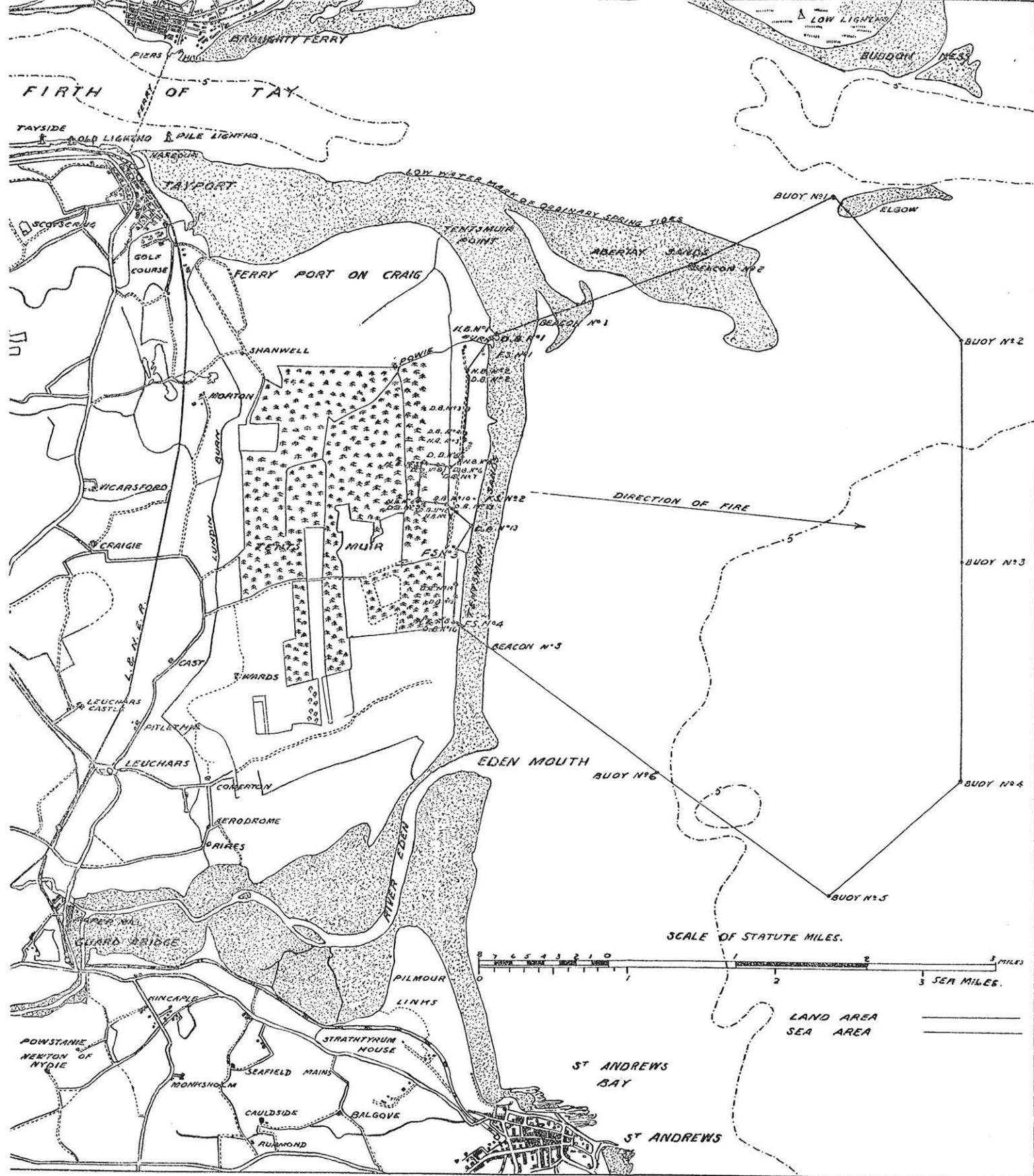
The Custom House, Dundee.

The Head Post Office, St. Andrews.

The Police Station, Tayport.

PLAN OF THE RANGE

(7) A plan of the range to which these Bye-laws apply is shown at the foot hereof.



SCALE = 1/63360